

Route 101 bridge is no longer in operation and will be removed.

Discussion of Proposed Rule

The proposed rule would amend 33 CFR 117.1031 by removing paragraph (a) which pertains to the Union Pacific railroad drawbridge. The proposed rule would also remove the designation "(b)" from paragraph (b) pertaining to the U.S. Route 101 bridge and amend that paragraph to state that the draw shall be opened on signal if at least one hour notice is provided. No special sound signal other than the standard signal prescribed by § 117.15 would be required for requesting an opening of the U.S. Route 101 bridge. Retained would be the provision that the draw of the U.S. Route 101 bridge need not open for vessels of less than 5,000 gross tons from 7:15 a.m. to 8:15 a.m. and from 4:15 p.m. to 5:15 p.m. on weekdays, except for Federal holidays.

Regulatory Evaluation

This proposed rule is not a significant regulatory action under 3(f) of Executive Order 12866 and does not require an assessment of potential cost and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this proposed rule to be so minimal that a full regulatory evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This expectation is based on the fact that vessel operators would not be unreasonably impeded or incur additional expense by a requirement to provide one hour notice for draw openings.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal will have a significant effect on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). The Coast Guard certifies under 5 U.S.C. 605(b) that this proposal, if adopted, will not have a significant impact on a significant number of small entities.

Collection of Information

This proposal contains no collection of information requirements under the

Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this proposal under the principles and criteria contained in Executive Order 12612, and it has been determined that the proposed rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that, under section 2.B.2. of Commandant Instruction M16475.B, this proposal is categorically excluded from further environmental documentation. A "Categorical Exclusion Determination" is available in the docket for inspection or copying.

List of Subjects in 33 CFR Part 117

Bridges.

Proposed Regulations

For the reasons set out in the preamble, the Coast Guard proposes to amend part 117 of title 33, Code of Federal Regulations, as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

2. Section 117.1031 is revised to read as follows:

§ 117.1031 Chehalis River.

The draw of the U.S. Route 101 highway bridge, mile 0.1, at Aberdeen, Washington, shall open on signal if at least one hour notice is given to the Washington Department of Transportation by marine radio, telephone, or other suitable means, except that the draw need not open for vessels of less than 5,000 gross tons from 7:15 a.m. to 8:15 a.m. and from 4:15 p.m. to 5:15 p.m., Monday through Friday, except Federal holidays.

Dated: December 15, 1995.

J.W. Lockwood,

Rear Admiral, U.S. Coast Guard Commander,
13th Coast Guard District.

[FR Doc. 95–31216 Filed 12–22–95; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[TN–134–1–6769b; FRL–5317–1]

Approval and Promulgation of Implementation Plans; Tennessee: Revisions to Knox County Regulations for Appeals, Violations, Monitoring, Recording, and Reporting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the State of Tennessee for the purpose of incorporating changes to regulations for appeals, judicial review, violations, and monitoring, recording and reporting in the Knox County portion of the Tennessee SIP. In the final rules section of this Federal Register, the EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

DATES: To be considered, comments must be received by January 25, 1996.

ADDRESSES: Written comments on this action should be addressed to Karen Borel, at the EPA Regional Office listed below. Copies of the documents relative to this action are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day.

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460.

Environmental Protection Agency, Region 4 Air Programs Branch, 345 Courtland Street, NE, Atlanta, Georgia 30365.

Knox County Department of Air Pollution Control, City-County Building, Suite 339, 400 West Main Street, Knoxville, Tennessee, 37902.

FOR FURTHER INFORMATION CONTACT: Karen C. Borel, Regulatory Planning and Development Section, Air Programs Branch, Air, Pesticides & Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street, NE, Atlanta, Georgia 30365. The telephone number is 404/347-3555 x4197. Reference file TN134-01-6769.

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule which is published in the rules section of this Federal Register.

Dated: October 2, 1995.

Patrick M. Tobin,

Acting Regional Administrator.

[FR Doc. 95-31037 Filed 12-22-95; 8:45 am]

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40 CFR Part 52

[ME26-1-7263b; FRL-5345-8]

Approval and Promulgation of Implementation Plans; Maine; NO_x Exemption Request for Northern Maine and NO_x Control Approval

AGENCY: United States Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA is approving, through direct final rulemaking procedures, a limited exemption request from the requirements contained in Section 182(f) of the Clean Air Act (Act) for the Northern Maine area (specifically, Oxford, Franklin, Somerset, Piscataquis, Penobscot, Washington, Aroostook, Hancock and Waldo Counties). These 9 counties, as with the rest of the State of Maine, are part of the Ozone Transport Region (OTR) as provided for in section 184(a) of the Clean Air Act. Section 182(f) in combination with section 184 (relating

to ozone transport regions) of the Act requires States in the OTR, such as Maine, to adopt reasonably available control technology (RACT) rules for major stationary sources of nitrogen oxides (NO_x) and to provide for nonattainment area new source review (NSR) for new sources and modifications that are major for NO_x. This exemption request, submitted by the State of Maine on September 7, 1995, is based on a demonstration that NO_x emissions in this 9 county area are not impacting Maine's moderate nonattainment areas or other nonattainment areas in the Ozone Transport Region (OTR) during times when elevated ozone levels are monitored in those areas. As such, additional reductions in NO_x emissions from these 9 counties beyond what the State regulations would provide for are not necessary for attainment in these areas, and, because they do not contribute to the ozone problem anywhere in the OTR, are also not necessary for purposes of showing future attainment for any other area in the OTR. Thus, as provided for in section 182(f)(2), additional NO_x reductions in these areas would constitute excess reductions that can be waived under the Clean Air Act. Maine has requested that EPA combine its approval of this NO_x exemption with its approval of NO_x controls for existing sources in Northern Maine that were submitted to EPA on August 5, 1994 for purposes of meeting the Act's NO_x RACT requirements. Consequently, this action approves a full exemption from nonattainment NSR requirements for NO_x, but only a limited exemption from NO_x control measures for existing sources that would go beyond what the State regulations provide for.

In the Final Rules Section of this Federal Register, EPA is approving this exemption request and limited NO_x controls for this area as a direct final rule without prior proposal. A detailed rationale for the approval is set forth in the direct final rule. This direct final

rule also includes EPA's response to several comments submitted by groups on past NO_x exemption requests. If no additional adverse comments are received in response to the direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Comments on this action must be received by January 25, 1996.

ADDRESSES: Comments may be mailed to Susan Studlien, Deputy Director, Office of Ecosystem Protection, U.S. Environmental Protection Agency, Region I, JFK Federal Bldg., Boston, MA 02203. Copies of the State submittal and EPA's technical support document are available for public inspection during normal business hours, by appointment at the Office of Ecosystem Protection, U.S. Environmental Protection Agency, Region I, One Congress Street, 10th floor, Boston, MA and the Bureau of Air Quality Control, Department of Environmental Protection, 71 Hospital Street, Augusta, ME 04333.

FOR FURTHER INFORMATION CONTACT: Robert C. Judge, Environmental Engineer, Air Quality Planning (ATS), United States Environmental Protection Agency, Region 1, JFK Federal Building, Boston, MA 02203. (617) 565-4874.

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule published in the Rules Section of this Federal Register.

Authority: 42 U.S.C. 4201-7601q

Dated: December 1, 1995.

Carol M. Browner,

Administrator.

[FR Doc. 95-31035 Filed 12-22-95; 8:45 am]

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